

ORDINANCE NO. _____ (NEW SERIES)

**AN ORDINANCE AMENDING TITLE 8, DIVISION 7, CHAPTER 2 OF
THE SAN DIEGO CODE OF REGULATORY ORDINANCES RELATING
TO GRADING, CLEARING AND WATERCOURSES**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that it needs to amend Title 8, Division 7, Chapter 2 of the San Diego Code of Regulatory Ordinances relating to the grading, clearing and watercourses.

Section 2. Section 87.205 of the Regulatory Code is hereby amended to read as follows:

(a) through (c) (8) No Change.

(9) The application and accompanying plans demonstrate compliance with Title 6, Division 7, Chapter 8 of this Code;

(c) (10) through (12) No Change.

Section 3. Section 87.206 of the Regulatory Code is hereby amended to read as follows:

(a) Requirements for All Minor Grading. Proposed grading shall be considered “Minor Grading if it:

(1) through (6) No Change.

(7) complies with Title 6, Division 7, Chapter 8 of this Code;

(8) through (15) No Change.

(b) through (c) No Change.

Section 4. Section 87.207 of the Regulatory Code is hereby amended to read as follows:

(a) The County Official may approve grading plans or improvement plans for a project for which a discretionary land use approval has previously been granted, where he or she determines that:

(1) through (2) No Change.

(3) The grading complies with Title 6, Division 7, Chapter 8 of this Code.

(4) through (9) No Change.

(b) No Change.

Section 5. Section 87.208 of the Regulatory Code is hereby amended to read as follows:

(a) Grading not covered by Sections 87.205, 87.206 or 87.207 shall be known as "Major Grading." The County Official may approve grading plans or improvement plans for major grading, if he or she determines that:

(1) through (3) No Change.

(4) The proposed grading complies with Title 6, Division 7, Chapter 8 of this Code.

(5) No Change.

(b) through (c) No Change.

Section 6. Section 87.218 of the Regulatory Code is hereby amended to read as follows:

The County Official may issue a permit for temporary stockpiling (storage) of earth conforming to the following:

(a) (1) through (6) No Change.

(7) include, on the face of all fill slopes in excess of three feet in vertical height, installation and maintenance of measures to protect against erosion and instability and so that runoff water leaving the premises will not contain sand, silt or other debris, and will comply with Title 6, Division 7, Chapter 8 of this Code.

(8) through (10) No Change.

(b) through (c) No change.

Section 7. Section 87.414 of the Regulatory Code is hereby amended to read as follows:

(a) No Change.

(b) Where grading operations are to be conducted for any time during the period from November 11 through April 30, the County Official may require the incorporation of additional erosion control measures, including but not limited to the application of geotextile fabrics, erosion control blankets, particularly if slope plantings required by Section 81.417 have not become established.

(c) If any part of grading work on any site is ceased for any reason for a period in excess of 10 calendar days or prior to the onset of precipitation (50% chance of ½ inch or more of rain), the County Official requires that additional stormwater measures as required by Section 67.817 be implemented to disturbed soil areas in order to prevent damage such as erosion or sedimentation to the site, slopes, adjoining properties, public rights of way or watercourses.

(d) The active disturbed soil area of a project site shall be no more than 50 acres for an individual grading permit/improvement plan or combination of grading permits under associated Tentative or Final Map (i.e. TM XXXX-1 through 3), unless otherwise approved by the County Official. 125% of the required Stormwater BMP materials shall be maintained on site to protect the disturbed soil area.

Section 8. The Ordinance shall take effect and be in force 30 days after the date of its passage, and before the expiration of 15 days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation.

Section 9. Operative Date. This Ordinance shall be operative on_____, 2007.